

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
—		
	:	
v.	:	DATE FILED _____
	:	
SHAWN BROWN	:	VIOLATIONS:
a/k/a “Kenneth Jenkins”	:	
	:	21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C)
	:	(possession of cocaine with intent to
	:	distribute – 1 count)
	:	
	:	18 U.S.C. § 924(c)(1) (use of a
	:	firearm during and in relation to a drug
	:	trafficking crime – 1 count)
	:	
	:	18 U.S.C. §§ 922(g), 924(e) (possession of
	:	a firearm by a convicted felon – 1 count)
	:	
	:	Notice of prior convictions
	:	
	:	Notice of forfeiture
	:	
	:	Notice of additional factors

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about February 14, 2004, at Philadelphia, in the Eastern District of
Pennsylvania, defendant

SHAWN BROWN,
a/k/a “Kenneth Jenkins,”

knowingly and intentionally possessed with the intent to distribute a mixture or substance
containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 14, 2004, at Philadelphia, in the Eastern District of Pennsylvania, defendant

**SHAWN BROWN,
a/k/a “Kenneth Jenkins,”**

knowingly used a firearm, that is, a .40 caliber Glock semi-automatic handgun, model 23, serial number ESD395US, loaded with eight rounds of ammunition, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, as charged in the indictment.

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 14, 2004, at Philadelphia, in the Eastern District of
Pennsylvania, defendant

**SHAWN BROWN,
a/k/a “Kenneth Jenkins,”**

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce a firearm, that is, a .40 caliber Glock semi-automatic handgun, model 23, serial number ESD395US, loaded with eight rounds of ammunition.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(e).

NOTICE OF PRIOR CONVICTIONS

THE GRAND JURY FURTHER CHARGES THAT:

Defendant **SHAWN BROWN, a/k/a “Kenneth Jenkins,”** committed the offense charged in Count Three of this indictment after having been convicted in a court of the Commonwealth of Pennsylvania of at least three violent crimes or felony drug offenses, as follows:

1. Possession With Intent To Deliver A Controlled Substance – Philadelphia County docket number CP # 9002-2371;
2. Possession With Intent To Deliver A Controlled Substance – Philadelphia County docket number CP # 9202-1332;
3. Robbery – Philadelphia County docket number CP # 9202-2974; and
4. Robbery – Philadelphia County docket number CP # 9211-1705.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

_____ As a result of the violations of Title 18, United States Code, Sections 924(c)(1) and 922(g)(1), set forth in this indictment, the defendant

**SHAWN BROWN,
a/k/a “Kenneth Jenkins,**

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), the firearm and ammunition involved in the commission of these offenses, including, but not limited to:

- (a) the .40 caliber Glock semi-automatic handgun, model 23, serial number ESD395US; and
- (b) the 8 live rounds of .40 caliber ammunition removed from the firearm described in Paragraph (a) above.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

NOTICE OF ADDITIONAL FACTORS

THE GRAND JURY FURTHER CHARGES THAT:

1. In committing the offenses charged in Counts One and Two of this indictment, defendant **SHAWN BROWN, a/k/a “Kenneth Jenkins:”**

a. Was a career offender, as defined by U.S.S.G. § 4B1.1.

2. In committing the offense charged in Count One of this indictment, defendant **SHAWN BROWN, a/k/a “Kenneth Jenkins:”**

a. Committed an offense in which a dangerous weapon (including a firearm) was possessed, as described in U.S.S.G. § 2D1.1(b)(1).

3. In committing the offense charged in Count Three of this indictment, defendant **SHAWN BROWN, a/k/a “Kenneth Jenkins:”**

a. Committed the instant offense while under a criminal justice sentence, that is, probation or parole, as defined by U.S.S.G. § 4A1.1(d); and

b. Committed the instant offense less than two years after release from imprisonment on a sentence of imprisonment exceeding one year and one month, as defined by U.S.S.G. § 4A1.1 (a) and (e).

4. In committing the offenses charged in Counts One, Two, and Three of this indictment, defendant **SHAWN BROWN, a/k/a “Kenneth Jenkins:”**

a. Recklessly created a substantial risk of death and serious bodily injury to another person in the course of fleeing from a law enforcement officer, as described in U.S.S.G. § 3C1.2.

b. Committed an offense in which, in a manner creating a substantial risk of serious bodily injury, the defendant, knowing and having reasonable cause to believe that a person was a law enforcement officer, assaulted such officer during the course of the offense and immediate flight therefrom, as described in U.S.S.G. § 3A1.2(b).

_____ **A TRUE BILL:**

_____ **FOREPERSON**

PATRICK L. MEEHAN
UNITED STATES ATTORNEY